WPSS No. 542 of 2004

Hon'ble J.C.S. Rawat, J.

List has been revised, but none is appearing on behalf of the petitioner. Therefore, the petition is dismissed in default.

Stay order dated 28-05-2004 shall stands vacated.

(J.C.S. Rawat, J.)

Dt. 08.11.2006

LSR

IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Civil Writ Petition No. 542 (S/S) of 2004

Jagmohan Singh Bangari ... Petitioner

Versus

state of Uttaranchal & others ... Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri K.S. Bora learned counsel for the petitioner and learned Standing Counsel who has accepted notices on behalf of all the respondents.

By means of this writ petition the petitioner ahs prayed for a direction to the respondents to regularize his service and determine his seniority.

The contention of the petitioner is that he has been working on the post of Assistant Teacher in the Government Inter College for the last 32 years and has been making representation after representation to the respondents for regularization of his services and also determination of his seniority and other benefits for which he is entitled.

It is very strange that the District Inspector of School, the Joint Director of Education, the Assistant Director of Education all are shifting the burden to pass appropriate order on each other. A number of times the Joint Director of Education, Garhwal Mandal, Pauri has asked the Assistant Director (Services) Uttaranchal that the similarly situated persons have already been regularized. Somehow the name of the petitioner could not be included in the list for regularization of his services. The Assistant Director (Services) Uttaranchal is shifting burden to the Joint Director stating that he is competent enough to pass an order tin accordance with the law. Each and every officer of

the Directorate of Education in Uttaranchal id shifting burden to another officer and nobody is ready to pass an appropriate order in accordance with law.

The petitioner has been used as shuttlecock for the last 32 years. It is very sorry state of affairs. The Court has experienced that the Officers in the Education Department are not interested in solving the problems of their employees. On the contrary, they are complicating the problems which will certainly affects the teaching in the institutions.

The Principal Secretary education shall take this matter seriously and shall take decision within a period of two weeks from the date of receipt of certified copy of the order. The order shall be passed in accordance with law and the order shall also be communicated to the petitioner within a week from the date of passing of the order. The Principal Secretary shall also inform to the court about the decision taken by him in pursuance of the order passed by this court.

List this case on 30.06.2004

28.05.2004
ASWAL